

CITY OF MUSCATINE  
REGULAR CITY COUNCIL MINUTES  
Council Chambers – 7:00 p.m. – December 2, 2010

Mayor Dick O'Brien called the City Council meeting for Thursday, December 2, 2010, to order at 7 p.m. Councilmembers present were LeRette, Fitzgerald, Natvig, Bynum, and Roby.

Councilmember LeRette gave the opening prayer which was followed by the Pledge of Allegiance.

#20374. Councilmember Bynum moved the minutes be approved for the November 18, 2010 City Council meeting. Seconded by Councilmember Natvig. All ayes; motion carried.

#20375. Councilmember Fitzgerald moved the Consent Agenda be approved as follows: Second reading for a new Class WBN Native Wine Permit for Miller's Florist, 612 Hope Avenue – Kathleen McGlothlen (pending final paperwork); renewal of a Class LA Liquor License for BPO Elks Lodge #304, 2003 Grandview Avenue (pending final paperwork); renewal of a Class LC Liquor License and Sunday Sales Permit for Plamor Lanes, 1411 Grandview Avenue – Muscatine Properties Inc. (pending final paperwork); addition of a Class WB Wine Permit for West Side Store, 2201 Houser Street – DJMB Enterprises Inc. (pending final paperwork); filing of Communications A-E; and Bills for Approval totaling \$1,843,347.48. Seconded by Councilmember Roby. All aye; motion carried.

**PUBLIC HEARING**

Mayor O'Brien stated a public hearing was being held concerning the proposed designation of an expanded Highway 38 Northeast Urban Renewal Area and proposed Urban Renewal Plan amendment.

There were no oral or written petitions for or against this proposed action.

#20376. Councilmember Fitzgerald moved the public hearing be closed. Seconded by Councilmember Natvig. All ayes; motion carried.

#20377. Councilmember Roby moved the resolution be adopted approving the designation of an expanded Highway 38 Northeast Urban Renewal Area and Urban Renewal Plan amendment. Seconded by Councilmember LeRette. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and resolution duly adopted.

#20378. Councilmember Bynum moved to approve the first reading of an ordinance providing for the division of taxes levied on taxable property in the 2010 Addition to the Highway 38 Northeast Urban Renewal Area. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and first reading of the ordinance approved.

#20379. Councilmember Natvig moved the resolution be adopted setting a public hearing for Thursday, December 16, 2010, on the proposed development agreement with A&E Convenience LLC to include tax increment payments in a total amount not to exceed \$40,000. Seconded by Councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and resolution duly adopted.

#20380. Councilmember LeRette moved the resolution be adopted setting a public hearing for Thursday, December 16, 2010, on a proposed development agreement with Oxbow Development Corporation with incremental property tax payments in a total amount not exceed \$425,000. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and resolution duly adopted.

#20381. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the Clay Street Bridge Improvements and authorizing final payment to Hy-Brand Industrial Contractors. Seconded by councilmember Roby. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and resolution duly adopted.

#20382. Councilmember Fitzgerald moved the resolution be adopted accepting completed work for the 2009 Street Improvement Project and authorizing final payment to Illowa Investments. Seconded by Councilmember LeRette.

Councilmember Natvig stated City Council had received background information concerning the additional costs associated with the paving of the Greenwood Cemetery roads. He asked that the matter be addressed for the benefit of the public.

City Administrator Gregg Mandsager pointed out that the area falling under the Downtown TIF came in under the estimated amount. He also pointed out that there were other streets the city was able to pave as part of this project.

Public Works Director Randy Hill stated the problem with the cemetery had to do with water drainage. He stated there were areas that had to be tiled and a base put in before it could be paved. He stated this is what caused the cost increase.

Councilmember Natvig stated it was his understanding there were underground leaks.

Mr. Hill stated a broken water line was discovered; however, there were also wet areas.

Street Maintenance Supervisor Randy Howell stated that part of the overrun was due to the additional paving required to build up the base.

Councilmember Bynum stated he drove through the cemetery and the roadways are very nice. He stated the problems that arose were ones that no one would have known about.

Mr. Hill stated that as part of this project, there was additional work completed that was not in the initial contract and included Cedar Street from Houser Street to the bypass, Newell Avenue from Logan to Lucas streets, Greenwood Drive, airport improvements, Mad Creek Levee Project, and a trail from Clermont to Baton Rouge. He pointed out that the contract came in under \$3 million.

Councilmember Roby stated she feels the city will receive positive comments from people who like the new roads.

Vote – All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried and resolution duly adopted.

Under Item 12G, Greg Jenkins of the Greater Muscatine Chamber of Commerce & Industry stated he has been working with Bridgestone Bandag and the Iowa Department of Economic Development to bring forth a job retention project. He stated the details have not yet been ironed out and his purpose tonight is to ask for Council's consensus to take the step in the process to generate funds needed to meet the local match. He stated one area these funds could possibly be obtained would be through the expansion of the Urban Renewal Area that encompasses the Muscatine Mall to include the Bandag Learning Center.

City Administrator Mandsager stated no action is required tonight and that Mr. Jenkins is only looking for a consensus from City Council to move forward.

Mr. Jenkins stated the City Administrator was correct. He stated the deadline is January 20, 2011 which is why he is seeking a consensus tonight. He stated that hopefully the revenue generated from the Learning Center will generate enough revenue to meet the local match; however, it may not. He then discussed the possibility of using the South End TIF if necessary.

City Administrator Mandsager reiterated that this is not an action item and that the city is not committing to anything other than moving the process forward. He stated the company would be responsible for any legal fees as with any TIF agreement. He stated the timeline is such that if this process is not moved forward, the January 20<sup>th</sup> deadline cannot be met. He stated that as part of the timeline, there will be an action item included on the December 9, 2010 In-Depth agenda.

Councilmember Fitzgerald asked if the January 20<sup>th</sup> date is the only time the IDED would consider this type of request.

Mr. Jenkins stated the date could probably be moved if necessary.

City Administrator Mandsager stated the timelines that are set are out of the city's control.

There was discussion on the possibility of using the South End TIF if the need arises.

Councilmember Natvig stated this seems to be an issue that needs to move forward; however, he feels Council should be made aware of options that will need to be studied.

City Administrator Mandsager stated there will be a resolution included on the next In-Depth agenda setting a public hearing on this matter for January 6, 2011.

Councilmember Roby stated it is important that all options that are available be looked into; however, the request tonight is only for a consensus to move the item forward.

Mayor O'Brien asked if there was a consensus from Council to move the matter forward and everyone answered yes.

Under comments, Councilmember LeRette invited everyone to the Holiday Stroll on Friday, December 3, 2010.

Councilmember Bynum thanked the contractors and city crews for getting Mississippi Drive opened.

Councilmember Roby thanked State Representative Mark Lofgren for attending the meeting.

Mr. Lofgren introduced himself and asked folks to call him if they have any questions or concerns. He will be providing his contact information in the very near future.

City Administrator Mandsager reminded everyone that tonight was Police Chief Gary Coderoni's last meeting. He reminded everyone of the reception that will be held on December 17, 2010.

Mayor O'Brien stated the Holiday Train will be in Muscatine on December 4, 2010 at 7:45 p.m. He stated that citizens are asked being asked to bring canned goods to the performance. He then announced that the Muscatine Symphony will be performing on December 4, 2010 at 7:30 p.m. at Central Middle School. He stated there will be no fee to attend the performance; however, canned goods are also being requested.

Mayor O'Brien asked for a motion to go into Closed Session to discuss union negotiations.

#20383. Councilmember Bynum moved to go into Closed Session at 7:33 p.m. to discuss union negotiations. Seconded by Councilmember Natvig. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby.

The Muscatine City Council went into Closed Session at 7:45 p.m. on Thursday, December 2, 2010, to discuss union negotiations. Present were Mayor Dick O'Brien and Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Also present were City Administrator Gregg Mandsager, Human Resources Manager Stephanie Romagnoli, and Finance Director Nancy Lueck.

#20384. Councilmember LeRette moved to leave Closed Session at 7:54 p.m. Seconded by Councilmember Fitzgerald. All ayes: Councilmembers LeRette, Fitzgerald, Natvig, Bynum, and Roby. Motion carried.

#20385. Councilmember Roby moved the meeting be adjourned at 7:54 p.m. Seconded by Councilmember Fitzgerald. All ayes; motion carried.

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Richard W. O'Brien, Mayor

ATTEST:

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Gregg Mandsager, City Administrator